THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 10208 OF 2000

Dated 26th June, 2007

Between:

APSRTC, Mushirabad, Hyderabad
represented by its Managing Director.

…Petitioner.

And

State Transport Appellate Tribunal,
A.P., Hyderabad, represented by its
Presiding Officer and others.

…Respondents.

ORAL ORDER:

This writ petition is filed by the Andhra Pradesh State Road Transport Corporation against the orders of the State Transport Appellate Tribunal, Hyderabad dated 8.1.1997 allowing the appeal in A.P.No. 452 of 1996 filed by the third respondent for grant of pucca stage carriage permit on the mofussil route – Alugolu to Vizianagaram Janata Bazar.

Though the A.P. State Road Transport Corporation questioned the orders passed by State Transport Appellate Tribunal in A.P.No.452 of 1996 on the ground that the permit sought for by the 3rd respondent is contrary to the notified scheme in G.O.Ms.No.625, dated 19-5-1975, but, however, it is to be seen that even the appellate authority while allowing the appeal filed by the 3rd respondent fixed time of four months for taking the permit and it is submitted by the learned Government Pleader appearing for respondents 1 and 2 that within the time granted by the State Transport Appellate Tribunal, the third respondent has not taken the permit to ply the vehicle. In the writ petition also, in spite of service of notice on 3rd respondent, there is no appearance to oppose the petition.

In that view of the matter, keeping the objection of the petitioner open, as much as the 3rd respondent has not obtained permit to ply the vehicle in question within the period stipulated in the order itself, I set aside the impugned order and allow the writ petition on that short ground. No costs.

26-6-2007 **R.SUBHASH REDDY, J.**

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